IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY MILLER, :

:

Plaintiff

v. : CIVIL NO. 4:CV-15-876

CIVIL NO. 4.C V-13-8/0

WARDEN SPAULDING, ET AL., : (Judge Brann)

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Defendants

Order

May 15, 2015

In accordance with the accompanying Memorandum, previously filed as separate docket entry no. 10, **IT IS HEREBY ORDERED THAT**:

- Miller's action is **DISMISSED WITHOUT PREJUDICE** as frivolous pursuant to the screening provisions of 28 U.S.C. § 1915.
- 2. Plaintiff's motion seeking appointment of counsel (Doc.5) is **DISMISSED AS MOOT**.
- 3. The Clerk of Court is directed to **CLOSE** the case.

4. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge